

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DAVID F. POEHLER,)
Plaintiff,)
)
v.) Case No. 04cv30254-MAP
)
JOHN E. POTTER,)
POSTMASTER GENERAL,)
UNITED STATES POSTAL SERVICE,)
Defendant.)

MOTION FOR SUMMARY JUDGMENT

The defendant, United States Postmaster General John E. Potter, Jr., pursuant to Fed. R. Civ. P. 56 and Local Rule 56.1, moves for summary judgment on the ground that the plaintiff cannot show he was the victim of employment discrimination. The defendant has filed a supporting memorandum of law, including a statement of undisputed material facts.

In accordance with Local Rule 7.1, the undersigned Assistant U.S. Attorney certifies that she conferred with the plaintiff's counsel but could not resolve the issues raised in this motion.

WHEREFORE, the defendant respectfully requests that summary judgment be entered in his favor.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/Karen L. Goodwin
Karen L. Goodwin
Assistant U.S. Attorney
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Dated: April 5, 2006

CERTIFICATION

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/Karen L. Goodwin
Karen L. Goodwin
Assistant U.S. Attorney